

In the High Court of Judicature at Madras

Dated: 29.11.2006

Coram:

The Honourable Mr.Justice P.SATHASIVAM
and

The Honourable Mr.Justice S.TAMILVANAN

Writ Petition No.46047 of 2002

P.Sathiyamoorthy ...Petitioner

...vs...

1. State of Tamil Nadu,
rep.by its Secretary to Government,
Housing & Urban Development Department,
Chennai-600 009.

2. The Member Secretary,
Chennai Metropolitan
Development Authority,
Thalamuthu Natarajan Building,
No.8, Gandhi Irwin Road,
Chennai-600 008.

...Respondents

Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of declaration, to declare that the provisions contained in B iii of Rule 19-B(iii) of Development Control Rules to Tamil Nadu Town & Country Planning Act are ultra vires, unconstitutional, arbitrary and colourable exercise of power and forbearing the 2nd respondent from insisting on the payment of security deposit for putting up any construction which are not recognised in law.

For Petitioner : No appearance

For Respondents : Mr.A.Edwin Prabhakar,
Govt.Advocate for R1

Mr.J.Ravindran for R2

ORDER

(Order of the Court was made by P.SATHASIVAM,J.,)

When the above Writ petition came up for hearing on 28.11.2006, none appeared for the petitioner. In order to give one more opportunity to the petitioner, the writ petition was directed to be listed today. Even today, no one appears for the petitioner.

2. Writ petition is of the year 2002. We are of the view that no purpose will be served in keeping the same any longer. Writ petition is dismissed for default. No costs.
gl

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1. The Secretary to Government of Tamil Nadu
Housing & Urban Development Department,
Chennai-600 009.
2. The Member Secretary,
Chennai Metropolitan
Development Authority,
Thalamuthu Natarajan Building,
No.8, Gandhi Irwin Road,
Chennai-600 008.

+ one cc to Mr. J. Ravindran, Advocate sr o. 58484

SR(CO)
NM(07.12.2006)

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